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To: Examiner Ryan J. Severson
Art Unit: 3731

From: Thomas Spinelli, Esq.
Registration No.: 39,533

Fax: 571-273-8300

Pages: 13

Phone: 571-272-3142

Date: September 25, 2006

Re: USSN: 10/724,814
Our Docket: 16224Z

CC:

RESPONSE TO RESTRICTION REQUIREMENT AND SPECIES ELECTION AND PRELIMINARY AMENDMENT

The following is being filed with the U.S. Patent and Trademark Office via facsimile on September 25, 2006:


1. Response to Restriction Requirement and Species Election and Preliminary Amendment
2. Transmittal in Duplicate
3. Certificate of Facsimile Transmission

Applicants: Shotaro Takemoto, et al.
Serial No.: 10/724,814
For: ENDOSCOPIC SUTURING
Filed: December 1, 2003
Docket: 16224Z
Dated: September 25, 2006
TS:cm

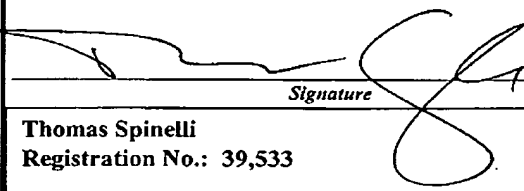
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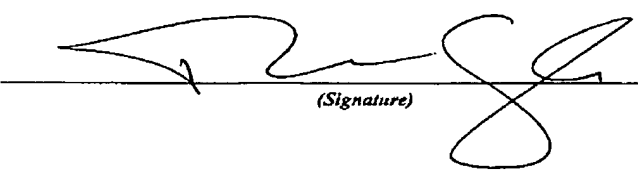
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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Shotaro Takemoto, et al.			Docket No. 16224Z	
Application No. 10/724,814	Filing Date December 1, 2003	Examiner Ryan J. Severson	Group Art Unit 3731	
Invention: ENDOSCOPIC SUTURING				
Confirmation No.: 5568				
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<p>I hereby certify that this <u>RESPONSE TO</u> <u>REQUIREMENT AND SPECIES ELECTION AND PRELIMINARY AMENDMENT</u> <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>)</p> <p>on <u>September 25, 2006</u> <small>(Date)</small></p> <p style="text-align: center;"><u>Thomas Spinelli</u> <small>(Typed or Printed Name of Person Signing Certificate)</small></p> <p style="text-align: center;"> <small>(Signature)</small></p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>				

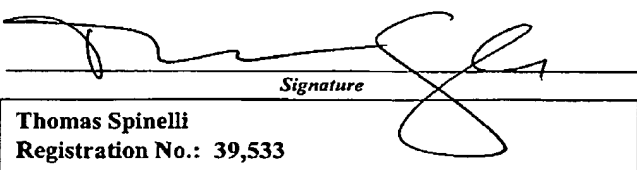
P18/REV02

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. 16224Z	
Applicant(s): Shotaro Takemoto, et al.						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
10/724,814	December 1, 2003	Ryan J. Severson	23389	3731	5568	
Invention: ENDOSCOPIC SUTURING						
COMMISSIONER FOR PATENTS:					RECEIVED CENTRAL FAX CENTER SEP 25 2006	
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	8 -	21 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	5 -	11 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 _____ Signature			Dated: September 25, 2006			
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P11LARGE/REV10

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 16224Z	
Applicant(s): Shotaro Takemoto, et al.				
Application No. 10/724,814	Filing Date December 1, 2003	Examiner Ryan J. Severson	Group Art Unit 3731	
Invention: ENDOSCOPIC SUTURING				
Confirmation No.: 5568				
<p>I hereby certify that this <u>RESPONSE TO</u> <u>REQUIREMENT AND SPECIES ELECTION AND PRELIMINARY AMENDMENT</u> <small>(Identify type of correspondence)</small> is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>) on <u>September 25, 2006</u> <small>(Date)</small></p> <p style="text-align: right;"><u>Thomas Spinelli</u> <small>(Typed or Printed Name of Person Signing Certificate)</small></p> <p style="text-align: right;"> <small>(Signature)</small></p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>				

P18/REV02

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. 16224Z	
Applicant(s): Shotaro Takemoto, et al.						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
10/724,814	December 1, 2003	Ryan J. Severson	23389	3731	5568	
Invention: ENDOSCOPIC SUTURING						
COMMISSIONER FOR PATENTS:						
Transmitted herewith is an amendment in the above-identified application: The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	8 -	21 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	5 -	11 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 _____ Signature			Dated: September 25, 2006			
Thomas Spinelli Registration No.: 39,533			<div style="border: 1px solid black; padding: 5px;"><input checked="" type="checkbox"/> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence</div>			
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P11LARGE/REV10

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shotaro Takemoto, et al. **Examiner:** Ryan J. Severson
Serial No: 10/724,814 **Art Unit:** 3731
Filed: December 1, 2003 **Docket:** 16224Z
For: ENDOSCOPIC SUTURING **Dated:** September 25, 2006
Conf. No.: 5568

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT
AND SPECIES ELECTION AND PRELIMINARY AMENDMENT**

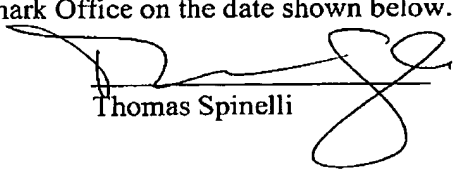
Sir:

Pursuant to the election requirement imposed in the Official Action dated September 23, 2006, Applicants elect the claims of Species 21, 22, 34 and 35, i.e., Claim 17 for continued prosecution herein. Furthermore, prior to examination on the merits, please amend the above-identified application as follows:

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to facsimile number 571-273-8300 at the U.S. Patent and Trademark Office on the date shown below.

Dated: September 25, 2006


Thomas Spinelli

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